

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

ORDER

This civil case is before the Court on defendant United States' Motion to Amend the Judgment [Doc. 34]. Plaintiff did not respond, and the deadline for doing so has passed. On November 25, 2015, Magistrate Judge Shirley entered a Report and Recommendation that the plaintiff's claims should be dismissed, and that a default judgment should be entered against plaintiff as to defendant's counterclaims in the amount of \$33,910.70, plus statutory interest pursuant to 26 U.S.C. §§§ 6601, 6621, and 6622 [Doc. 32]. On December 16, 2015, the Court entered an Order [Doc. 33] adopting the Report and Recommendation, dismissing plaintiff's claims and entering default judgment in favor of defendant. However, the order, which was entered by the Clerk as judgment, did not state the amount of the judgment.

Pursuant to Federal Rule of Civil Procedure 60(a), the Court may “correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record.” In this case, through an oversight the Court’s order adopting Judge Shirley’s Report and Recommendation did not include the

amount of the judgment contained in the Report and Recommendation. Accordingly, the Court sees fit to amend the judgment in this case to include the amount owed by plaintiff to the United States.

Accordingly, for good cause shown and pursuant to Fed. R. Civ. P. 60(a), defendant's Motion to Amend Judgment [Doc. 34] is hereby **GRANTED** and the judgment in this case [Doc. 33] is **AMENDED** to provide for a judgment against plaintiff, Janice Thornton, in the amount of \$33,910.70, plus statutory interest pursuant to 26 U.S.C. §§ 6601, 6621, and 6622. All other provisions of the judgment dated December 16, 2015, shall remain in effect.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE